

Effective Use of Time-Out

Behavior Home Page

<http://www.state.ky.us/agencies/behave/homepage.html>

LETTER CONCERNING USE OF TIME-OUT

Kentucky Department of Education, 2000

October 13, 2000

Dear Superintendent:

Many of you have asked us for guidance in relation to the use of time-out for students. Additionally, the department has been made aware of concerns about the improper use of time-out for students. These concerns cover issues such as leaving a student in a seclusionary time-out setting for excessive amounts of time, placing the student in a seclusionary time-out setting without proper supervision, using spaces for seclusionary time-out that are not safe, and continuing to implement time-out even after repeated use has failed to reduce the student's inappropriate behavior.

In an effort to provide assistance and address these concerns in a comprehensive manner, the Kentucky Department of Education is sending this information to school superintendents, directors of special education, principals, and parent resource centers to help promote effective policies for implementing appropriate uses of seclusionary time-out for all students. I encourage you to distribute this information to all staff that work with these students and to the parents of these students so that everyone involved can work cooperatively to ensure the student's educational success.

There are no federal or state regulations that address the use of seclusionary time-out; however, suggested below are guidelines and ideas to consider in planning for the use of seclusionary time-out with students. The information provided is based on recent research and practice in the field, guidance from the Office of Special Education Programs, United States Department of Education, and court cases on the subject.

Time-out is a procedure that involves denying a student access to all sources of reinforcement (e.g., teacher and peer attention, participation in ongoing activities) as a consequence of undesired behavior. The purpose is to reduce future occurrences of such behavior. Time-out may be implemented on three levels: (a) contingent observation; (b) exclusionary; and (c) seclusionary. Contingent observation requires the student to remain in a position to observe the group without participating or receiving reinforcement for a specified period. Exclusionary time-out denies access to reinforcement by removing a student from an ongoing activity, while seclusionary time-out removes the student from the instructional setting as a means of denying access to reinforcement. The use of all levels of time out, especially exclusionary or seclusionary must be premised on assurances that the student's behavior is not a reaction to ineffective instruction.

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First and foremost, the use of seclusionary time-outs should only be considered as part of a continuum of interventions and strategies (e.g., teaching and rewarding positive behavior alternatives, not responding to undesired student behavior that is performed for the purpose of obtaining attention, taking away points or privileges as punishment) used with students who display inappropriate behaviors. The use of seclusionary time-out is a drastic measure that should be used as a last defense measure as part of an overall program to instruct the student in appropriate behaviors. How and when seclusionary time-out may be used with a students with disabilities should be thoroughly discussed and explained at the Admissions and Release Committee (ARC) meeting so that everyone involved with the student has a clear understanding of the topic. Use of any time-out must be documented by the ARC in the Individual Education Program (IEP) along with addressing the use of positive behavior supports. Prior to being placed in such a setting, the student, whether he or she attended the ARC, should fully understand circumstances under which he or she may be put into time-out and what to expect from the experience (e.g., length of time and expectations for release).

Prior to the use of seclusionary time-out, the school staff should have knowledge of the student's social and developmental history and any other relevant information about the student's disabilities and background. Additionally, the use of seclusionary time-out should only be used with students when data supports the reduction of the student's inappropriate behavior. The following are guidelines for implementation of effective seclusionary time-out:

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GUIDELINES FOR EFFECTIVE USE OF TIME-OUT

(For more detailed information on the use of time-out, visit the Behavior Web Page at <http://www.state.ky.us/agencies/behave/homepage.html>)

1. **Obtain Parent/Guardian Permission to Use Time-Out.** Schools may want to consider obtaining written consent from parents or caregivers before using seclusionary time-out as an intervention. If the child has a disability, the use of any form of time-out should be a part of the IEP or 504 plan. The discussion of the time-out should include the specific procedures that will be used, including the circumstances leading to the use of time-out and its effect on the student's behavior. Communication should be made with the parents or caregivers whenever seclusionary time-out has been used as a form of intervention.
2. **Only Use Time-Out as One Component of an Extensive Array of Behavior Interventions.** Time-out, and especially seclusionary time-out, should never be used in isolation as the only behavior intervention being applied. Time-out is only one component of an effective behavior change strategy, and seclusionary time-out is near the end of the spectrum of more restrictive approaches to reducing undesired or challenging student behavior. Time-out must always be used in conjunction with an array of positive reinforcement, and time-out may be implemented on several levels, with the most restrictive version being seclusionary time-out. Procedures should be designed to teach students how to appropriately take a time-out, through role playing and modeling, with a clear understanding of what behaviors can lead to time-out and how the student can avoid this procedure. Seclusionary time-out should only be used when other less restrictive interventions have been attempted and documentation verifies they have been ineffective. Most often when other less extreme procedures are used appropriately, it is not necessary to use seclusionary time-out.
3. **Do Not Engage in Power Struggles with Students.** Forcing a student through physical means to take a seclusionary time-out should be avoided. When you engage in physical power struggles with a student, it becomes a no-win situation. It has been documented that this typically leads to an escalation of the situation and can also lead to injury of students and staff. If a student is posing physical danger to self or others, a plan of action should be in place and staff should be properly trained on its implementation.

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4. **Avoid Excessive Use of Time-Out.** Children should not be secluded in a time-out setting for more than 5-10 minutes at a time, depending on the age of the child, and never more than 15 total minutes. Repeated applications of time-out that exceed 15-minute maximum would not meet these guidelines. The appropriateness of time-out for children and youth at each end of the age spectrum (3-21) is questionable and should be avoided. The continued use of seclusionary time-out must be based on data supporting its effectiveness in reducing a student's inappropriate behavior, and if this data does not exist, the use of this procedure should not be implemented. If a student is using seclusionary time-out as a way to escape or avoid instruction as determined by a functional behavior assessment (FBA), time-out will not be effective.
5. **Never Lock a Student in a Closed Setting and Maintain a View of the Student at All Times.** Students should never be placed in a time-out setting secured with locks or latches or in a fully enclosed area that prevents staff observation and access to the student. For more details on physical design of a seclusionary time-out setting, consult the Behavior Web page.
6. **Maintain Thorough Written Records.** Detailed written records should be kept of use of seclusionary time-out, including the student's name, date, time and incident; prior interventions used, length of time-out and results.
7. **Assess When Time-Out is Not Working.** Functional behavior assessments (FBA) should be performed whenever data indicated that time-out is not effective.

I hope this information will provide assistance to staff on this topic. If additional information is needed, please contact Laura McCullough or Toyah Robey in the Division of Exceptional Children Services at (502) 564-4970.

Sincerely,

Gene Wilhoit